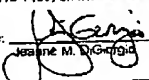


I hereby certify that this correspondence is being transmitted by facsimile to facsimile number 703-672-6306 at MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below

Date: December 10, 2004 Signature:   
Jeanne M. DiGiorgio

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DEC 10 2004  
Docket No.: MXI-211  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Debra Hudson, *et al.*

Application No.: 10/073644

Group Art Unit: 1644

Filed: February 11, 2002

Examiner: M. Belyavskyi

For: HUMAN MONOCLONAL ANTIBODIES TO  
FC ALPHA RECEPTOR (CD89)

**DECLARATION PURSUANT TO 37 CFR §132**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I, Jeanne M. DiGiorgio, hereby declare that:

1. I am the Attorney for Medarex, Inc., the assignee of the above-identified application.
2. The germline sequences represented by SEQ ID NOs:9-17 in the sequence listing of the above-referenced application were not changed before or after the filing date of the present application and, therefore, are the same sequences now as when

Serial No. 10/073644


Attorney Docket No.: MXI-211

first made available to the public prior to the filing of this application. Accordingly, no new matter has been added to the application as originally filed.

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issued thereon.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
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Dated: December 10, 2004